

REMARKS

Claims 1-6, 8, 9, 13, 14, and 16-23 are presently pending in the captioned application. Applicants thank the Examiner for entering the Examiner's Amendment to the claims with the Notice of Allowance of April 6, 2004, as discussed with and authorized by applicants on April 1, 2004. Subsequent to receiving the Notice of Allowance, however, applicants have reviewed these amendments to the claims and have determined that they were based on a misinterpretation of the present invention. Accordingly, applicants submit herewith further amendments, along with an RCE, to obtain an examination of the full scope of the present invention by the Examiner.

The amendments presented herein do not introduce new matter within the meaning of 35 U.S.C. § 132. In particular, the amendments to the specification and some of the amendments to claims 1 and 14 insert the specific HLB values of "1 to 16". These amendments are fully supported by original Figure 2, which clearly shows along the X-axis that the HLB values of the product carbohydrate fatty acid esters before (solid line) and after (dotted lines) hydrolysis span the range of from 1 to 16, and by page 5, lines 19-27. Accordingly, these amendments clearly do not add new matter to the instant application as they are fully supported by the original application as filed. Further, these

amendments are made to clarify the existing disclosure and to remove any ambiguity regarding the contents of Figure 2.

Regarding the previously added, and now removed, phrase "3 to 6 hours" in claims 1 and 14, applicants submit the addition of this phrase was based in error on the cited portion of the application as originally filed (page 8, lines 20-23). This cited portion of the specification actually refers to the time to complete the trans-acidolysis reaction of the claimed step (a) rather than the partial hydrolysis of the claimed step (e). Accordingly, applicants have removed this phrase from the scope of the claim step (e). Additionally, applicants have maintained the deletion of the phrase "for a predetermined period of time" made by the Examiner as previously discussed.

Accordingly, applicants respectfully submit that the presently pending claims are fully supported by the instant specification and do not raise any of the issues previously noted by the Examiner. As such, entry of these amendments and an allowance of all pending claims 1-6, 8, 9, 13, 14, and 16-23 are earnestly solicited herein.

Additionally, applicants submit herewith a copy of the Revocation and Power of Attorney with stamped USPTO Filing Receipt dated July 31, 2003. Accordingly, applicants respectfully request that the USPTO records be updated and that Nath & Associates PLLC,

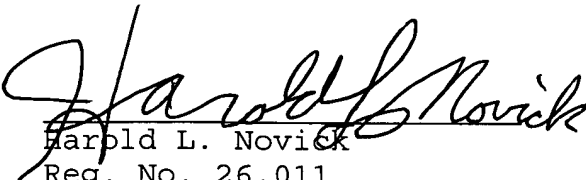
with the Customer No. 20529, be made the attorney of record for this application.

The Examiner is welcomed to telephone the undersigned attorney if he has any questions or comments in connection with this matter.

Respectfully submitted,

NATH & ASSOCIATES PLLC

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